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09/512,425	02/24/2000	Susumu Kusakabe	SONY-T0280	5567

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EXAMINER

DASS, HARISH T

ART UNIT PAPER NUMBER

3628

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/512,425

Applicant(s)

KUSAKABE ET AL.

Examiner

Harish T Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-4 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4 and 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

*Claims 1 and 5-9 are canceled.*

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10-11, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Pitroda (US 5,884,271).

Re. Claims 10-11, Pitroda (US 5,884,271) discloses an information card (a universal transaction card) for storing electronic money data and utilization-history data relating to deposits or withdrawals of electronic money, and utilization of the information card and storing electronic money data and utilization-history data relating to deposits or withdrawals of electronic money and utilization of an information card on the information card [read entire document particularly, Abs; Fig. 1-2, 4, C2 L42-65; C8 L49-50], a plurality of electronic money terminals for withdrawing the money data from the information card, each of the electronic money terminals {operatively} reading the utilization-history data when said electronic money data is withdrawn from the information card and reading the utilization-history data when electronic money data is

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withdrawn from the information card at any one of a plurality of electronic money terminals [C1 L36-L67], and electronic money management means for gathering the utilization-history data from the electronic money terminals so as to give the information of the utilization-history data to at least one of the other electronic money terminals & gathering the utilization-history data from the electronic money terminals so as to give the information utilization-history data to at least one of the other electronic money terminals [C1 L5-L67; C2 L42 to C3 L34; C10 L4-L40].

Re. Claim 14, Pitroda discloses an information card adapted to be used in an electronic money system including a plurality of money terminals (ATM) for withdrawing money data from the information card and reading utilization-history data when electronic money data is withdrawn from the card, and an electronic money manager for gathering the utilization-history data from the electronic money terminals so as to give the information of utilization-history data to at least one of the other electronic money terminals, said information card comprising [Abs; C1 L1-L67; C2 L42 to C3 L34; C10 L4-L40] and storing means for storing electronic money data and the utilization-history data relating to deposits or withdrawals of electronic money and utilization of the information card at any of the money terminals [C2 L42-65; C8 L49-50].

Re. Claim 15, Pitroda discloses information card is an IC card (UET card) [C11 L31-L47].

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4 & 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda.

Re. Claims 4 & 13, Pitroda discloses an information card (a universal transaction card) and using it with ATM and POS terminals [C1 L1-L67; C10 L26-L40]. Pitroda, explicitly, does not disclose electronic money management means makes a comparison of the contents of the plural data of utilization-histories, which have been gathered from said respective electronic money terminals, and then performs tabulation in a manner such that the plural utilization-history data, which have coincided with each other at the comparison, are treated as one utilization-history data. However, in banking and accounting it is well known that to consolidate, reconcile and audit accounts for accuracy and completeness. Further, credit, ATM, and/or debit cards are (is) used in different locations (different terminals) but the account statement includes all transactions made on these terminals. Therefore it would have been obvious to one of ordinary skill in the art to modify disclosure of Pitroda and include tabulation and comparison of history data

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(transactions) to emphasis on reconciliation of an account and elimination of duplicates and add missing transaction.

Re. Claims 3 & 12 Pitroda, discloses wherein when said utilization-history data of any of said plurality of electronic money terminals [ATM, POS - C1 L1-L67; C10 L26-L40] and plurality of service institutions [C3 L1-L33]. Pitroda, explicitly, does not discloses utilization-history data of any of said plurality of electronic money terminals has been lost, said electronic money management means employs the utilization-history data from the other electronic money terminals. However, it is commonly known to one skill in the art that credit, ATM, and/or debit cards are (is) used in different locations (different terminals) and the terminals (ATMs) share common history data from central computer, therefore if the data is lost from one terminal (malfunction), the second terminal can be used to receive the data. Therefor it would have been obvious to one ordinary skill in the art to modify disclosure of Pitroda and include recovery of lost utilization-history data from another terminal to refurbish the card for updated transactions.

**Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda as applied to claim 10 above, in view of Hurta et al (US 6,317,721).**

Re. Claim 2, Pitroda (US 5,884,271) discloses an information card (a universal transaction card) for transmitting/receiving said money data to/from the plurality of

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electronic money terminals [Abs; C1 L5-L67; C2 L42 to C3 L34]. Pitroda, explicitly, does not disclose non-contact type information card without any contact with the electronic money terminals. However, Hurta et al disclose\$ smart card (IC card) and smartcard-based transponder and RF communication and wireless transaction (non-contact type) [Abs; Fig. 1; C2 L35-46; C5 L25 to C6 L31]. Thus, it would have been obvious to one ordinary skill in the art to modify and combine disclosures of Pitroda and Hurta et al to provide wireless transaction system, to provide privacy as well as <sup>to</sup> eliminate point-of-sale equipment [Hurta et al C2 L6-L23].

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### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Souh can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Harish T Dass *H7D*  
Examiner  
Art Unit 3628

7/9/03  
July 11, 2003

  
HYUNG SOUH  
SUPERVISORY PATENT EXAMINER  
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